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Congress of the United States  
House of Representatives

ELIOT L. ENGEL

17th DISTRICT, NEW YORK

March 26, 2010

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The Honorable Julius Genachowski, Chairman  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

Dear Chairman Genachowski:

I am writing regarding the Federal Communication Commission (FCC)'s National Broadband Plan to open up the Wireless Communications Service to mobile internet device manufacturers.

I commend you for looking at ways to increase access to broadband for more Americans. However, I want to ensure that the Commission gives proper attention to incumbent companies who have paid billions of dollars of infrastructure costs to build out a network in adjacent spectrum bands.

I have no interest in stifling innovation, and as a senior Member of the House Committee on Energy and Commerce, I have been a close follower of Internet and technology issues for decades. I also believe that, given strict testing procedures, this spectrum can be used to help create the next generation of mobile Internet devices. However, given the 19 million subscribers to satellite radio, the Commission must ensure that these new devices will not disrupt broadcasts for millions of people.

I respectfully request that you provide me with information on the steps the Commission is taking to make certain that mobile devices approved for use in the WCS band do not interfere with satellite radio broadcasts. I look forward to your prompt response.

Sincerely,

Eliot L. Engel  
Member of Congress



OFFICE OF  
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

July 21, 2010

The Honorable Eliot L. Engel  
U. S. House of Representatives  
2161 Rayburn House Office Building  
Washington, DC 20515-3217

Dear Congressman Engel:

Thank you for your letter regarding the Wireless Communications Service (WCS) proceeding currently pending before the Commission. I share your view about the benefits that wireless broadband service will bring to the public, and want to assure you that we remain committed to conducting this and any Commission proceeding transparently and with full public participation.

On May 20, 2010, the Commission adopted technical rules governing the operation of SDARS terrestrial repeaters that will not impede their deployment or function, but will limit the potential for harmful interference to adjacent bands' WCS spectrum users, and adopt a blanket-licensing regime. The Report and Order also establishes a regulatory framework for the co-existence of SDARS and WCS licensees SDARS repeaters to promote their flexible deployment. And to ensure that the potential of the WCS mobile broadband spectrum is realized fully and quickly, we also adopt strong build-out requirements that will spur investment and get services on this spectrum out to American consumers as speedily as possible.

To promote innovation, investment, and our global competitiveness, the National Broadband Plan recommends that 500 megahertz of spectrum be made available for broadband use within the next 10 years, including 300 megahertz for mobile broadband use in the next five years. Doing so is vital to seizing the opportunity of mobile broadband to be an enduring engine of economic growth, investment, and job creation in the 21<sup>st</sup> century.

I am pleased that by taking a fresh look at the WCS rules, we are able to create an environment for innovative, cutting-edge mobile products and services in a spectrum band that has essentially remained fallow for years -- while still protecting adjacent band services from harmful interference and providing important clarity about the long-term operation of satellite radio terrestrial repeaters.

I appreciate your interest in this very important matter. If you have any further questions please do not hesitate to contact me.

Sincerely,

Julius Genachowski